

1761

RECEIVED

JUL 22 2003

TC 1700

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/966,849
		Filing Date	September 28, 2001
		First Named Inventor	NAIR, MALATHY
		Group Art Unit	1761
		Examiner Name	Leslie A. Wong
Total Number of Pages in This Submission	3	Attorney Docket Number	5488USA
ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Response to Restriction Requirement</b>	Remarks
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	GENERAL MILLS, INC. Annette M. Frawley		
Signature	<i>Annette M. Frawley</i>		
Date	15 July 2003		

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Typed or printed name	Brenda K. Popp		
Signature	<i>Brenda K. Popp</i>	Date	July 15, 2003

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

Appl. No. 09/966,849  
Restriction Requirement Response Dated 15 July, 2003  
Reply to Office Action of June 30, 2003



RECEIVED  
JUL 22 2003  
TC 1700

#7  
7-25-03

Appl. No. : 09/966,849  
Applicant : Nair et al.  
Filed : 28 September 2001  
Title : Whipped Yogurt Products and Method of Preparation  
  
TC/A.U. : 1761  
Examiner : Leslie Wong  
  
Docket No. : 5488

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed June 30, 2003, Applicant provisionally elects, with traverse, the invention of Group II. However, Applicant reserves the right to later file continuations or divisionals directed to the non-elected invention.

The Restriction Requirement is traversed on the basis that examining the process of making and product made together places no extra burden on the PTO, because the search for the process of making would cover all the classes/subclasses as the searches for the product made. If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it may include claims to distinct or independent inventions. MPEP 803. Restriction Requirements are optional in all cases. MPEP 803.

The Examiner is invited to contact Applicant (763) 764-4158 if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Appl. No. 09/966,849  
Restriction Requirement Response Dated 15 July, 2003  
Reply to Office Action of June 30, 2003

Respectfully submitted,

GENERAL MILLS, INC.

By Annette M. Frawley  
Annette M. Frawley  
Reg. No. 50,280  
Tel.: (763) 764-4158  
Fax: (763) 764-2268  
[annette.frawley@genmills.com](mailto:annette.frawley@genmills.com)

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 15<sup>th</sup> day of July, 2003.

Name

Brenda K. Popp  
Brenda K. Popp

Signature